

REMARKS

Claims 1-22 are pending in the present application. By this Amendment claim 1 has been amended, claim 11 has been cancelled and claim 22 has been added. It is submitted that this Amendment is fully responsive to the Office Action dated January 6, 2010.

Information Disclosure Statement

The Examiner appears to have failed to enter his initials into "Cite No. 6" of the IDS form PTO/SB/08a/b filed on March 22, 2006. It is respectfully requested that the Examiner provides a copy of the form being initialed as considered.

Drawings

The drawings are objected to because the holding portion (labeled with 'K') and the base (labeled with '4') appear to be on opposite sides in Fig. 3, but appear to be on the same side in Figs. 6-7.

This objection is respectfully traversed. The holding portion K is constituted by the base 4, for example, please see page 22, lines 5-10 of the specification. More specifically, the holding portion K includes side walls 41, 42 and front wall 43 (for example, please see page 21, lines 9-14). Therefore, it is submitted that the holding portion K and the base 4 are not limited to any specific side such as the left side or the right side in Figs. 3, 6 and 7.

Specification

The specification is objected to as including some grammatical errors.

This objection is respectfully traversed. It is submitted that the specification has been amended to overcome this objection.

Claim Rejections - 35 U.S.C. §112

Claim 21 is rejected under 35 U.S.C. §112, second paragraph, as including indefiniteness.

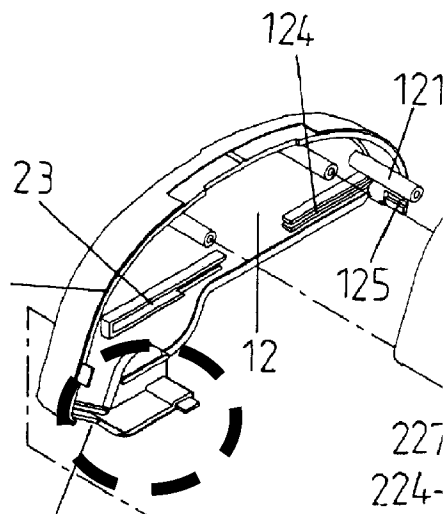
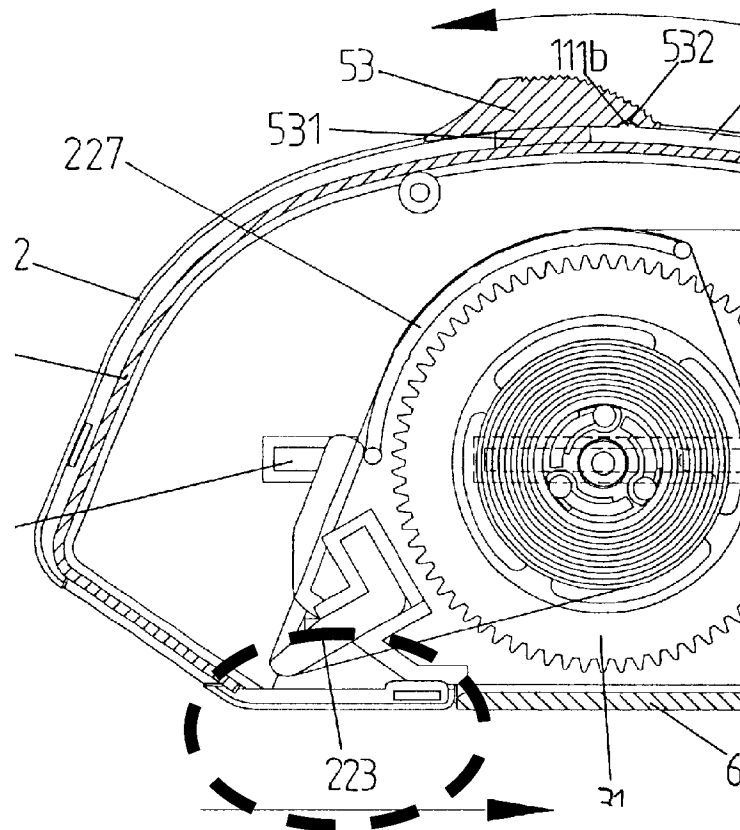
This rejection is respectfully traversed. It is submitted that claim 21 has been amended to overcome this rejection.

Claim Rejections - 35 U.S.C. §102

Claims 1-5, 7-11 and 21 are rejected under 35 U.S.C. §102(b) as being anticipated by Lee (USP 6,550,578).

This rejection is respectfully traversed. Claim 1, as amended, now calls for the feature of *“wherein the case body further comprises a transfer head putting the transfer material into contact with the transferred object, and an opening is formed in the base, the opening being opened in the pivoting direction to the case body by the pivoting support portion; the transfer head is located in the opening in the use position; and, of the transfer head, a transfer surface which presses the transfer material to the transferred object, is protruded from the opening toward the transferred object side.”* This Amendment is supported by claim 11 and claim 11 has been cancelled, accordingly.

With regard to the feature of claim 11, the Examiner relies on Fig. 7 of Lee and alleges that a dispensing head 223 of Lee is formed in the opening of the base (please see page 5 of the Action). However, this appears to be mischaracterization. First, it is noted that the Examiner alleges that the item 6 of Lee corresponds to the claimed base (please see page 4 of the Action). However, as shown in Figs. 1, 4 and 5, the bottom cover 6 of Lee ends before the dispensing head 223. In other words, the bottom cover 6 does not reach and cover the dispensing head 223. Instead, Fig. 5 of Lee shows a bottom plate which is located just below the dispensing head 223. Please note that the bottom plate is a part of a second half 12 as shown in Fig. 2 of Lee. This is described by the enlarged views of Figs 2 and 5 of Lee below.



Accordingly, the dispensing head 223 of Lee has no relation with the bottom cover 6, and thus, the Examiner's allegation that dispensing head 223 of Lee is formed in the opening of the base appears to be mischaracterization of the disclosure of Lee.

Moreover, while the dispensing head 223 projects from a dispensing opening 122 (col. 4, lines 17-19), the dispensing opening 122 is formed to the case 1 (col. 2, lines 31-34). Accordingly, Lee is silent regarding the transfer head which protrudes from an opening formed in the claimed base.

In view of the above, Lee does not disclose or fairly suggest the claimed feature of *“wherein the case body further comprises a transfer head putting the transfer material into contact with the transferred object, and an opening is formed in the base, the opening being opened in the pivoting direction to the case body by the pivoting support portion; the transfer head is located in the opening in the use position; and, of the transfer head, a transfer surface which presses the transfer material to the transferred object, is protruded from the opening toward the transferred object side,”* as called for in amended claim 1. Accordingly, claim 1 and its dependent claims patentably distinguish over Lee.

New Claim 22

The subject matter of new claim 22 is supported by claim 1 and the specification (for example, page 16, lines 3-12). The Examiner alleges that the items 122 and 126 of Lee correspond to the claimed fast case and second case (page 4 of the Action). However, the claimed first case functions as a replacing cartridge and is disengageable in the releasing retention position. Therefore, it is different from the items 122 and 126 of Lee.

More specifically, while the items 122 and 126 of Lee hold replacement parts, the items 122 and 126 do not constitute the replacement parts themselves. Moreover, the items 122 and 126 are not disengageable with each other when the holding portion is moved to any position. Accordingly, claim 22 patentably distinguishes over Lee.

Claim Rejections - 35 U.S.C. §103

Claims 12-14 and 17-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lee in view of Manusch (USP 4,851,076).

This rejection is respectfully traversed. Claims 12-14 and 17-18 are directly or indirectly dependent from claim 1 and recite the additional features set forth therein. Accordingly, claims 12-14 and 17-18 also patentably distinguish over Lee and Manusch for at least the reasons set forth above.

Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lee in view of Applicant Admitted Prior Art Suzuki (JP 2002-178694).

This rejection is respectfully traversed. Claim 6 is indirectly dependent from claim 1 and recites the additional features set forth therein. Accordingly, claim 6 also patentably distinguishes over Lee and Suzuki for at least the reasons set forth above.

Claims 15-16 and 19-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lee in view of Manusch, and further in view of Suzuki.

This rejection is respectfully traversed. Claims 15-16 and 19-20 are indirectly dependent from claim 1 and recite the additional features set forth therein. Accordingly, claims 15-16 and 19-20 also patentably distinguish over Lee, Manusch and Suzuki for at least the reasons set forth above.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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